

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

2006 MAY 17 AM 10:13
CLERK *B McCarthy*
SO. DIST. OF GA. *J*

GARY HUBERT DAVIS,)
Petitioner,)
v.) CV 106-033
TONY HENDERSON, Warden,)
Respondent.)

O R D E R

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, the Clerk is **DIRECTED** to **CLOSE** the captioned case and **FILE** Petitioner's completed § 2254 form and motions to proceed IFP in CV 106-012. Petitioner's habeas claims will be fully addressed in CV 106-012.

SO ORDERED this *17th* day of May, 2006, at Augusta, Georgia.

Kelvin J. Brown Jr.
UNITED STATES DISTRICT JUDGE